

REMARKS

Claims 1-9 have been examined. With this amendment, Applicant adds claim 10-31.

Claims 1-33 are all the claims pending in the application.

1. Claim Rejections

The Examiner has rejected claims 1-9 under 35 U.S.C. 103(a) as being unpatentable over Jackson *et al.* (US 2002/0105658) [“Jackson”] in view of Fredlund *et al.* (US 5,66,215) [“Fredlund”]. For at least the following reasons, Applicant traverses the rejection.

Claim 1 recites a data management method that comprises “registering the data with the data management unit by carrying out a drag-and-drop operation for the data onto the icon [corresponding to the data management unit].” The Examiner contends that Screen 400 (Fig. 7) discloses the claimed feature. Final Office Action at page 2.

Applicant argued in the Response of September 13, 2005, that the thumbnail images 402 in screen 400 do not correspond to fulfillment center 40 (alleged data management unit) and, therefore, would not disclose the claimed registration of data by carrying out drag-and-drop operation into the icon corresponding to the data management unit. The Examiner contends in the Advisory Action that the selection screen 400 “can alternatively be minimized into an icon.” See Advisory Action.

Applicant submits that there is no disclosure in Jackson to support the Examiner’s contention that screen 400 may be minimized into an icon. In addition, even if screen 400 could be minimized into an icon, there is no disclosure that the minimized icon has the capability of registering data while in the icon state.

The Examiner relies on Fredlund to allegedly teach the claimed drag-and-drop operation onto an icon. However, the Examiner even concedes that the drag-and-drop disclosed by Fredlund is onto a screen (display area 56), not an icon. Advisory Action.

At no point in the rejection has the Examiner even shown an icon that corresponds to the fulfillment center 40 (alleged data management unit), let alone registration of data using drag-and-drop onto the icon. At most, the cited references may disclose that data is uploaded in a program using screens and that, in another program, data is opened by dragging-and-dropping the data onto a screen. However, screens are not icons and the “ubiquity of icon representations” found by the Examiner are not relevant to the issue at hand since screen 400 and the screen representing display area 56 are not disclosed by the prior art as being icons. Applicant submits that it is not inherent that these screens are represented as icons since it is possible to create programs that do not represent data and screens as icons.

The Examiner also makes contentions as to the nature of computer screens and their “symbolic representations” in computer systems. Advisory Action. The Examiner does not provide citation in the prior art for these contentions. If the Examiner is relying on personal knowledge, Applicant requests that the Examiner provide an affidavit or declaration setting forth the specific factual findings as is required by the MPEP. See MPEP §2144.04 (C) at 2100-138. Without a declaration, the Examiner’s contentions are mere speculations, not evidence in the record.

The Examiner also states in the Advisory Action that “initially registering” is not recited in the claims and that the processing disclosed the references is sufficient to read on the claims.

Applicant submits that the comments about “initially registering” were made in the context of the types of processing (alleged “registering”) disclosed by the two references. In Jackson, the “registering” is the uploading of data, whereas in Fredlund, the “registering” is the opening of data, which has been previously “uploaded,” onto display screen 56 by using drag-and-drop. Applicant’s argument, which the Examiner has not rebutted, is that the “registering” for screen 400 and the “registering” for display area 56 are not analogous, and therefore, the Examiner’s proffered reasons for combining is not supported by the prior art.

Accordingly, for at least the reasons given above, Applicant submits that claim 1 is patentable.

Applicant submits that independent claims 4 and 7 are patentable for reasons analogous to those given above with respect to claim 1.

Applicant submits that claims 2, 3, 5, 6, 8 and 9 are patentable at least by virtue of their respective dependencies.

2. New Claims

With this amendment, Applicant adds claims 10-33. Applicant submits that independent claims 28, 30 and 32 are patentable for reasons analogous to those given above for claim 1. Applicant submits that the remaining claims are patentable at least by virtue of their respective dependencies.

3. Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the

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Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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